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March 17, 2021

Via ECF

Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 11D
New York, NY 10007

*Application GRANTED
S.C. ORDERED
J.W. 3/17/21 USPD
3-17-21*

Re: *Dame Products v. The Metropolitan Transportation Authority, et al.,*
Case No. 19 Civ. 05649 (PKC)

Your Honor:

We represent Plaintiff Dame Products in the above-captioned matter. We write jointly with counsel for Defendants to respectfully request an extension of time from March 19, 2021 to April 9, 2021 for the parties to file pre-motion letters in anticipation of moving for summary judgment. No previous request for an extension of this deadline has been made. The next Court conference is scheduled for March 24, 2021.

The parties request an extension to allow them to focus on meaningful and ongoing settlement discussions. The parties are in the midst of exchanging settlement proposals and counter-proposals, which has proven to be a time consuming process. Rather than devote time and expense to laying out their summary judgment positions at this point, the parties believe it would be more productive for them to focus on their settlement conversations to determine whether this matter can be resolved.

In addition, expert discovery is still ongoing. Plaintiff has served its expert reports, and Defendants are in the process of preparing theirs. Expert depositions are scheduled to take place at the end of April, in advance of the April 30, 2021 deadline for expert discovery. Extending the pre-motion letter deadline will give the parties greater clarity about each other's respective experts, allowing the parties to better tailor their summary judgment arguments to the record.

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The parties therefore respectfully request that the Court extend the deadline to file pre-motion letters in anticipation of moving for summary judgment from March 19, 2021 to April 9, 2021.

Respectfully submitted,

/s

Richard D. Emery
Samuel Shapiro
Emma L. Freeman

c. All counsel of record, *via ECF*